



A BILL FOR AN ORDINANCE

RELATING TO SHARED MICROMOBILITY VEHICLES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to authorize the City to reserve parking stalls and other areas for a fee for the deployment and parking of shared micromobility vehicle fleets by permit, and to set the conditions and requirements for the permits.

SECTION 2. Chapter 15, Revised Ordinances of Honolulu 1990 ("Traffic Code"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Article __. Shared Mobility - Micromobility Vehicle Parking

Sec. 15-___.1 Definitions.

As used in this article:

"Department" means the department of transportation services.

"Deploy" means the action by an operator of removing a shared micromobility vehicle from its physical custody and making it available to and accessible by the public for rent.

"Director" means the director of transportation services, or the director's authorized representative.

"Fleet" means the collective shared micromobility vehicles deployed by an operator.

"Operator" means a shared micromobility vehicle business that holds a valid shared micromobility vehicle parking permit issued under this article.

"SMV parking permit" means the permit approved by the director to a qualified shared micromobility vehicle business and valid for a period of one year from date of issue to park one or more SMVs in a stall or space on city property.

"Shared micromobility vehicle" or "SMV" means commercial transportation equipment weighing less than 100 pounds by which a person can be propelled or moved, that is:



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- (1) Either power-assisted or propelled solely by human power;
- (2) A shared resource among multiple users; and
- (3) Available to the public for short-term renting on a self-service basis, usually through a website or mobile application, and intended for point-to-point travel.

"Shared micromobility vehicle business" or "SMV business" means a for-profit or non-profit entity that rents shared micromobility vehicles to the public. The term does not include a government agency or department of the city, the State of Hawaii, or the United States.

"Shared micromobility vehicle user" or "SMV user" means an individual who rides an SMV rented from an operator.

Sec. 15-__2 Authorization.

Notwithstanding any ordinance to the contrary, the director is authorized to issue SMV parking permits to qualified SMV businesses.

Sec. 15-__3 SMV parking permit application and renewal terms and conditions.

- (a) The director may issue an SMV parking permit to an SMV business, upon satisfaction of the requirements of this article, for portions of property controlled by the city, including but not limited to spaces in parking meter zones, off-street parking, and attendant parking facilities for use of these areas for SMV parking and deployment, subject to the following conditions:
 - (1) The director may not authorize more than three SMV parking permits per street block; and
 - (2) When an SMV business desires an SMV parking permit for a portion of city property not controlled by the department, the director or the director's designee shall obtain prior written consent of the appropriate city department, agency, or office that controls the subject property.

The department may implement a lottery system for the issuance or renewal of permits under this section if the number of applications exceeds the number of permits allowed.



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- (b) An SMV parking permit may be issued for a term not to exceed one year and shall be revocable by the director upon 30 days' written notice. No operator holding an SMV parking permit shall be required to have a peddler's license pursuant to Chapter 29, Article 6.
- (c) To receive an SMV parking permit, an SMV business must submit an application to the director, in the manner prescribed by the director. The application, to be accompanied by the non-refundable application fee set forth in Section 15-____.7, shall contain the following:
- (1) The name of the person designated by the applying SMV business to receive on its behalf any future notices sent by the city to the SMV business, and that person's contact information, including a mailing address, telephone number, and email address;
 - (2) A certificate of good standing issued by the State of Hawaii department of commerce and consumer affairs for the SMV business and dated no earlier than six months prior to the date of the application;
 - (3) Documentary evidence from an insurance company indicating that such insurance company has bound itself to provide the applying SMV business with the liability insurance required by this article;
 - (4) A comprehensive operations plan that includes:
 - (A) A timeline for the launch of operations or a history of operations for established operations;
 - (B) A detailed description of the SMV specifications and the size of the SMV fleet;
 - (C) A map of the proposed or actual service area and deployment and parking locations, including parking locations not on city property;
 - (D) Planned schedules for fleet management, maintenance, and repair;
 - (E) An overview of the website, mobile application, or other program to be used by the public to access and rent an SMV;
 - (F) An overview of the technology to be used to track and locate each SMV;



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- (G) For dockless systems, an overview of the technology to be used, including but not limited to a picture-after-riding requirement, to demonstrate traceability of parking of a specific SMV to a specific SMV user;
 - (H) An overview of the technology, geofencing, or other means to be used to control operational and parking areas for the SMV fleet;
 - (I) A policy on how SMV users' personal data will be safeguarded;
 - (J) Minimum requirements and rules for SMV users;
 - (K) Strategies for SMV-user education;
 - (L) Strategies to serve low-income riders and communities with limited transit options;
 - (M) Strategies for community outreach and completed outreach efforts, including to neighborhood boards in targeted areas for deployment; and
 - (N) Any other details describing how the SMV business will comply with all SMV parking permit requirements set forth in this article.
- (d) Any document submitted as part of the application shall become part of the SMV parking permit and may be used to evaluate operator compliance with SMV parking permit conditions. Any change to the information provided in the application must be reported to the director, in the manner prescribed by the director, no later than 10 business days following the change. Any such change is subject to approval by the director, and a change found to be in violation of, or inconsistent with, the SMV parking permit or this article may result in the termination of the SMV parking permit.
- (e) The director shall review complete applications and evaluate the extent to which an applying SMV business has the capacity to provide a reliable and safe shared micromobility service and to meet the SMV parking permit terms and conditions. When the director finds an applying SMV business has satisfied the requirements of this article, the director may determine the number of SMV permits to issue to the applying SMV business based upon the following:
- (1) The application content and the comprehensive operations plan;



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- (2) The number and location of permits requested;
 - (3) The availability and location of spaces designated for SMV parking; and
 - (4) The total number of complete applications received by the department.
- (f) An operator shall renew its SMV parking permit annually. The process for renewing an SMV parking permit shall be the same as the application process set forth in this section for receiving an initial SMV parking permit. In reviewing the application for renewal of an SMV parking permit, the director shall also evaluate the operator's performance over the preceding permit term. No SMV parking permit may be renewed unless all outstanding fees, fines, or other penalties assessed against the SMV business have been paid to the department.
- (g) The director may adopt administrative rules to establish a deadline for applications for and renewals of parking permits, or to establish a limit on the number of operators that may hold valid SMV parking permits at a given time.
- (h) Subject to the approval of the director, an operator may mark or indicate the area covered by the SMV parking permit using paint, signage, or decals to guide the operator's SMV users to authorized parking areas.

Sec. 15-__4 SMV parking permit requirements and conditions.

- (a) An operator shall comply with all applicable city, state, and federal laws, including, but not limited to, the state and city traffic codes and laws governing uses of streets or highways, bikeways, sidewalks, and specific classes of SMVs. An operator shall educate SMV users regarding the laws applicable to riding, operating, and parking an SMV, and compliance with these laws.
- (b) An operator shall obtain, maintain, and keep in force through the term of the operator permit insurance policies issued by insurance or surety companies authorized by law to issue such insurance in the State of Hawaii in the following amounts:
 - (1) General liability insurance of not less than \$2,000,000 for bodily injury and property damage liability arising out of each occurrence and \$4,000,000 in the aggregate;
 - (2) Business automobile liability insurance of not less than \$1,000,000 combined single limit per accident; and



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- (3) Worker's compensation insurance as required by law.

All insurance policies shall name the city and its officers and employees as additional insureds, and shall provide for written notification to the director at least 30 days prior to any termination, cancellation, or material change in coverage.

- (c) An operator shall pay all applicable fees as set forth in Section 15-____.7.
- (d) An operator shall indemnify the city and its officers, elected or appointed officials, employees, and agents, and shall defend them and shall hold them harmless, individually and in their official capacities, from and against any and all claims, liabilities, causes of action, suits, loss, costs, expenses, judgments, fines, reasonable attorney fees and necessary litigation expenses, demands, and damages of every kind and description brought by third parties arising out of or in connection with, including but not limited to:
- (1) The operator's business conduct or operations, including any act or omission of the operator, its subcontractors, anyone directly or indirectly employed by the operator, and anyone for whose acts or omissions the operator may be liable;
 - (2) The city's issuance of or decision to issue or not issue an SMV parking permit;
 - (3) The operator using or occupying the public right-of-way or any SMV user operating the operator's SMV in the public right-of-way;
 - (4) Actual or alleged bodily injury including death, or actual and alleged damage to property; and
 - (5) Actual or alleged violations of law, including but not limited to the Americans with Disabilities Act.

Notwithstanding the foregoing, the operator shall not be required to indemnify, defend, or hold harmless the city and its officers, elected or appointed officials, employees, or agents to the extent such claims, liabilities, causes of action, suits, losses, costs, expenses, judgments, fines, expenses, demands, or damages arise from their own gross negligence or intentional misconduct; provided, however, this exception to an operator's indemnification and defense obligations shall not apply to claims resulting from, or in connection with, the condition of a



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public right-of-way. The obligations imposed by this subsection shall survive the expiration of the permit.

- (e) An operator shall adhere to the operations plan submitted as part of its SMV parking permit application, and any amendments to the plan approved by the director.
- (f) Prior to deployment, an operator shall register with the department each SMV to be deployed and pay to the department the SMV registration fee set forth in Section 15-____.7 for each SMV. Once an SMV is deployed, its registration shall, so long as it remains deployed, be renewed annually and the registration fee shall be paid annually. This registration is in addition to any vehicle registration required by state or city law.
- (g) An operator may not deploy any SMV that is inoperable or unsafe to operate. If an SMV is inoperable or unsafe, the operator shall ensure the SMV is not available to or accessible by the public for use until it is repaired and safe to operate.
- (h) All SMVs in the operator's fleet must be marked with the operator's name, livery, logo, or trade dress.
- (i) All SMVs in the operator's fleet must be equipped with active global positioning system technology that collects the required data that must be reported to the director pursuant to this article.
- (j) An operator shall maintain staff located in Honolulu and a customer service center staffed 24-hour per day to receive questions, complaints, reports of collisions, or notices of noncompliance. The contact information for the center shall be posted on each SMV.
- (k) An operator may not transfer its SMV parking permit to any other SMV business or other entity, including a subsidiary, or any individual.
- (l) Prior to the close of business on the expiration date of an SMV parking permit, unless the SMV parking permit has been renewed, the operator is responsible to remove its SMVs, all equipment, and improvements from the permitted space and to restore the permitted space to the condition it was in at the commencement of the SMV parking permit term.



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Sec. 15-__5 Shared micromobility vehicle deployment and parking.

- (a) An operator is responsible for ensuring that its SMVs and SMV users comply with the following requirements:
 - (1) An SMV must be standing upright when deployed and parked on city property;
 - (2) An SMV may not be deployed or parked on a sidewalk, street, or highway controlled by the city except in accordance with a valid SMV parking permit;
 - (3) An SMV may not be parked in a manner that impedes vehicular traffic on a street or highway, or impedes pedestrian traffic on a sidewalk; and
 - (4) An SMV may not be parked in a manner that obstructs all or a portion of a bus stop, a commercial loading zone, a disabled parking stall or zone, curb ramp, or driveway.
- (b) Any SMV deployed or parked in a manner that fails to comply with the requirements in this section must be re-parked or removed by the operator. If the director, an authorized city employee or agent, or a police officer notifies an operator of non-compliance with the requirements in this section, the operator must remedy the non-compliance within four hours of receiving the notice. If the non-compliance is not remedied within such time, the city may remove and store the offending SMV.

Sec. 15-__6 Operator data sharing requirements.

- (a) An operator shall collect and submit to the director, in the manner and frequency prescribed by the director, the following data on the SMVs in the operator's fleet:
 - (1) Number of SMVs deployed;
 - (2) Number of SMVs removed from service and returned to the operator's physical custody;
 - (3) Average length of time an SMV is deployed but not rented;
 - (4) Total number of trips for the entire fleet;
 - (5) Total number of trips per SMV;



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- (6) Trip origin, destination, and duration;
 - (7) Total miles ridden; and
 - (8) Number of collisions, accidents, injuries, or incidents of property damage involving an SMV.
- (b) An operator shall collect and submit to the director, in the manner and frequency prescribed by the director, the following aggregate data on SMV users and trips taken on deployed SMVs:
- (1) Number of unique SMV users registered with the operator; and
 - (2) Number of unique SMV users who used the operator's service on a monthly and weekly basis during the reporting period, which shall be determined by the director.
- (c) An operator shall disclose to each SMV user the types of data it collects from SMVs and SMV users and the types of data the operator reports to the department or any other party.
- (d) Data submitted by an operator to the department pursuant to this section may be subject to public disclosure, and the department may publish such data, except data identifying individual users or their private information. The department may use and analyze the data it receives from each operator.
- (e) An operator need not submit the data required by this section to the department if the director determines the data is proprietary, in which event, the operator must make the data available for the director's inspection in lieu of submitting the data to the city.

Sec. 15-___.7 Fees.

- (a) Application and renewal fees. An SMV business applying for an SMV parking permit shall submit a non-refundable fee of \$500 to the department with the completed application. This fee shall also be paid when an operator renews its SMV parking permit annually.
- (b) SMV registration fee. An operator shall pay an annual registration fee of \$30 per SMV that is deployed.



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- (c) SMV parking permit fee. The annual fee per SMV parking permit per designated stall shall be as follows:
- (1) For a stall designated in a parking meter zone, a fee equal to the corresponding shared mobility annual rental rate, as set forth in Section 15-22.4;
 - (2) For a stall designated in an unmetered area, a fee equal to the annualized daily charge for each parking space or unmetered parking stall, exclusive of Sundays and state holidays, as set forth in Section 15-22.8;
 - (3) For a stall designated in an off-street parking facility or in an attendant parking facility, a fee equal to the corresponding shared mobility annual rental rate, as set forth in Section 15-23.2A; and
 - (4) For a portion of property controlled by the city that is not covered by subdivisions (1) to (3), a fee in an amount to be determined by the director.
- (d) To support and facilitate service to low-income SMV users and to communities determined to be underserved by transit options, the director is authorized to reduce or waive the SMV parking permit fee. The criteria and process to waive fees for this purpose shall be set forth in administrative rules.

Sec. 15-___.8 Removal of unpermitted SMVs.

It is unlawful for an SMV business to park or deploy SMVs on any city property, including streets and sidewalks, without a valid SMV parking permit. When an SMV owned by an unpermitted SMV business is parked on city property and is found to be available for rent to the public, the city is authorized to remove and store the SMV.

Sec. 15-___.9 Administrative enforcement.

Enforcement of this article shall be done pursuant to the traffic code as set forth in Articles 4 and 26. If any operator is found to be in violation of its SMV parking permit, this chapter, or other applicable laws, the department may immediately suspend or revoke the operator permit, and refuse to issue subsequent SMV parking permits to that SMV business.



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Sec. 15-___.10 Fine--Costs.

When an SMV is removed by the director or designee, a department employee or agent, or police officer pursuant to this article, the department will assess a fine of \$150 per SMV to be paid by the operator to the city prior to the city's release of the SMV. In addition, the director may require an SMV business to reimburse any costs the city, department, or any other city agency or office incurs to address or abate the noncompliance with this article.

Sec. 15-___.11 Deposit of revenues.

The funds collected under this article shall be deposited in the general fund.

Sec. 15-___.12 Severability.

The provisions of this article, are hereby declared to be severable. In accordance therewith, if any portion of this article is held invalid for any reason, the validity of any other portion of this article shall not be affected and if the application of any portion of this article to any person, property, or circumstance is held invalid, the application hereof to any other person, property or circumstances shall not be affected."

SECTION 3. Section 15-13.9, Revised Ordinances of Honolulu 1990 ("Authority to store vehicles"), as amended by Ordinances 19-1, 19-19, and 19-23, is amended by amending subsection (a) to read as follows:

- "(a) Officers and employees of the Honolulu police department and department of customer services may remove vehicles or cause them to be removed from a street, highway, or pedestrian mall to a storage area or other place of safety under any of the following circumstances:
- (1) When any vehicle is left unattended upon any bridge or elevated structure, viaduct, causeway, or left unattended in any tube or tunnel, where such vehicle constitutes an obstruction to traffic;
 - (2) When any vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle request the removal of the vehicle or are by reason of physical injury incapacitated to such an extent as to be unable to provide for the vehicles custody or removal;



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- (3) When any vehicle is left unattended upon a street and is parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic;
- (4) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XVII;
- (5) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XVIII;
- (6) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning ~~and/or~~ or afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XIX;
- (7) When any vehicle is left unattended or parked in a tow zone at all hours of any day on the streets or portions thereof described in Schedule XX;
- (8) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking designated by official signs specifying those times of restricted parking on the streets or portions thereof described in Schedule XXI;
- (9) When any vehicle is left unattended or parked upon a street and is parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using or attempting to use such driveway for purposes of egress or ingress;
- (10) When any vehicle is left unattended on a street, or portion thereof, so as to interfere with or impede construction, demolition, repair, or maintenance work being done on, adjacent to, above, or below the street, provided a permit has been issued for the work by the director of transportation services, and adequate regulatory signs are posted designating the time of the prohibition;



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- (11) When any vehicle is left unattended upon any street within 10 feet of a fire hydrant;
- (12) When any vehicle is left unattended upon any street within four feet of either side of a public or private driveway;
- (13) When any vehicle is left unattended or parked in a crosswalk, or within 20 feet of a crosswalk at an intersection, or within 20 feet upon the approach to any midblock crosswalk;
- (14) When any vehicle is left unattended at any time on the roadway portion of any freeway; or when any vehicle, except an authorized emergency vehicle or highway maintenance or construction equipment, is left unattended on the median, shoulder, or any other portion, other than the roadway portion, of any freeway for more than four hours;
- (15) When any bus, truck, truck-trailer, trailer, van, house trailer, or any vehicle used for commercial purposes whose gross vehicle weight is 10,000 pounds or more, except vehicles of the public utilities and construction equipment while engaged in repair or construction work, or vehicles actually loading or unloading goods, wares, or merchandise, is parked on any public street for more than four consecutive hours;
- (16) When any vehicle is left unattended in a transit bus or an express bus lane;
- (17) When any vehicle is left unattended upon any bicycle lane or bicycle path;
- (18) When any vehicle is left unattended or parked in violation of the pedestrian mall provisions of Article 25;
- (19) When any vehicle is left unattended or parked in an official bus stop as described in Schedule XXV;
- (20) When any vehicle is parked, stopped, or left standing in violation of Section 15-14.1(a)(21) to (a)(26);
- (21) When any vehicle is left unattended or parked on any public street, road, or highway, and the vehicle has any one or more of the following:
 - (A) No valid vehicle registration emblem or an expired vehicle registration emblem;



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(B) No valid sticker affixed certifying a certificate of inspection as required in HRS Section 286-26, or an expired certificate of inspection sticker; or

(C) No valid license plates.

For purposes of this subdivision, "public street, roadway, or highway" includes the entire width, including the berm or shoulder, of every road, alley, street, way, lane, trail, highway, bikeway, or bridge when any part thereof is open for use by the public;

(22) When a vehicle is parked in a restricted parking zone in violation of Article ____ ~~[of this chapter]~~;

(23) When a vehicle is parked in a reserved car-sharing on-street parking stall without a valid and current reserved car-sharing on-street parking stall sticker in accordance with Section 15-28.1(g); ~~[and]~~

(24) When a vehicle is parked in a loading zone or an officially designated bus stop without a valid and current decal or other approved device permitting parking in loading zones and official bus stops in accordance with Section ~~[15-15.5.]~~ 15-15.5; and

(25) When a shared micromobility vehicle is parked in a manner in violation of any provision of Section 15- .5."

SECTION 4. Section 28-3.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 28-3.3 Bidding not required – Concessions.

The ~~[finance]~~ director of budget and fiscal services may award concessions on terms and conditions approved by the corporation counsel as to form and legality without calling for public bids, when:

- (a) Activities Without Charge. Concessions or concession spaces which are set aside without any charge for events, productions, attractions, or activities including the exhibition and sale of handcrafts, works of art, produce, or products of a nonprofit organization, as defined in Article 1, or its members as long as the sale of any craft ~~[item,]~~ items, works of art, produce or products are made by the member of the organization who actually makes, creates, grows, or gathers the



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items being sold, and as long as all net profits earned by the nonprofit organization from the concession are to be applied to the expenses of the organization incurred in connection with events or activities directly related to the purpose for which it has been organized.

- (b) Periods of Two Days or Less. Concessions or concession spaces which are set aside for a period or periods of time not to exceed two successive days without any charge:
 - (1) For the exhibition and sale of works of art by artists who actually produce the works of art being exhibited and sold;
 - (2) For the exhibition and sale of handcrafted items being exhibited and sold; and
 - (3) For the display and sale of fruits and vegetables, seafoods, and prepared but not manufactured food products by the person who actually grows or gathers the fruits and vegetables, catches the seafoods, or prepares the food products being displayed and sold.
- (c) Handicapped or Blind Persons. Concessions or concession spaces which are set aside for the use of handicapped or blind persons or any nonprofit organization primarily engaged in physical rehabilitative programs.
 - (1) Nonprofit Private Corporations. The word "persons" contained herein shall include a nonprofit private corporation which has been exempted from taxation as prescribed under Section 501 of the Internal Revenue Code of 1986, as amended, and its articles of incorporation or association shall have a provision contained therein that the primary objective of the corporation is to service, [or] aid or abet, or assist the handicapped or blind persons.
 - (2) No Rent, Except for Maintenance Cost. Notwithstanding any provisions to the contrary contained herein, the [finance] director of budget and fiscal services shall assess no rent for leasing or renting of concessions or concession space to handicapped or blind persons, including any vending machines assigned to such vendors; provided, that for real property, including improvements thereon, the [finance] director of budget and fiscal services shall assess the cost of maintenance of that portion of such real property leased or rented to handicapped or blind persons.



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- (d) Governmental Subdivisions. Concessions or concession spaces which are set aside for the use of any political or governmental subdivision of the federal, state, or city government.
- (e) Nonprofit Beachboy Concessions. Concessions or concession spaces which are set aside for beachboys licensed by the state department of transportation.
 - (1) Policy. The council finds that Hawaiian beachboys are rooted in the state's historical and cultural traditions and that there is a need for the city to provide for concessions available to licensed beachboys on beach property under the jurisdiction of the ~~[City and County of Honolulu:]~~ city.
 - (2) Definition. "Nonprofit beachboy concession" is the grant to a qualified beachboy association of the privilege to conduct operations essentially retail in nature, involving the rental of surfboards, bodyboards or canoes. A qualified beachboy association is an association which is dedicated to the preservation of the beachboy tradition and is incorporated as a nonprofit corporation in accordance with state law.
 - (3) Special Conditions to Be Met When Providing Beachboy Concessions on Beach Park Property under the Jurisdiction of the ~~[City and County of Honolulu:]~~ city. The following special conditions shall govern the award of nonprofit beachboy concessions on beach park property under the jurisdiction of the ~~[City and County of Honolulu:]~~ city:
 - (A) The department of parks and recreation shall designate specific sites on the beach for each beachboy concession and shall locate the sites so as not to impede access to and use of the beach by the public;
 - (B) A beachboy concession may offer to provide instruction for the use of rental equipment incidental to the rental of said equipment, and may offer the sale of canoe rides incidental to the rental of canoes; and
 - (C) The department of parks and recreation shall establish policies to ensure that the use of the nonprofit beachboy concessions is restricted to beachboys who are licensed pursuant to Chapter 82, Title 19, Hawaii Administrative Rules (department of transportation), and that such concessions are operated to provide equal opportunity for use by all licensed beachboys.



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- (4) Fees and Charges for Beachboy Concessions. The department of parks and recreation is authorized to set the fees charged by the beachboy concessions.
- (5) Rules. The director of parks and recreation shall adopt rules pursuant to HRS Chapter 91 necessary for the purposes of this subsection.
- (f) Nonprofit Zoo, Cultural Park, and Botanical Garden Concessions. Concessions or concession space at county zoos, cultural parks, or botanical gardens set aside for use by support groups ~~[which]~~ that are incorporated as nonprofit corporations in accordance with state law, for the purpose of supporting ~~[county]~~ city aims and goals ~~[of]~~ for the zoo, ~~[and]~~ botanical gardens, and cultural parks; provided that each support group shall annually submit to the director of parks and recreation and the council an audited financial statement of the revenues and expenditures of that support group.
- (g) Coin-Operated Vending Machines. Concession spaces which are leased or rented for coin-operated vending machines except coin-operated insurance vending machines.
- (h) Public Pay Telephones. Concession spaces which are leased or rented for public pay telephones.
- (i) Hans L'Orange Baseball Facility. Concessions or concession spaces at the Hans L'Orange baseball facility which are set aside without charge to the permittee of a professional sports activity; provided, however, that the period of use of such concessions or concession space shall be limited to the term of the permit. As used in this section, unless the context otherwise requires:
 - (1) "Permittee" means the promoter, sponsor, exhibitor, league or other person who obtains a permit for the purposes of conducting a professional sports activity at a professional sports facility for which admission fees are charged;
 - (2) "Professional sports activity" means a game, event, exhibition, or activity of a recognized sport for which admission fees are charged and the participants in which receive compensation in return for participation in the sport;
 - (3) "Hans L'Orange baseball facility" means the playing field, bleachers, stands, and other areas of the facility enclosed by a fence.



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- (i) Parking Stalls for Shared Micromobility Vehicles. Concessions or concession spaces, including parking stalls, set aside for shared micromobility vehicle businesses."

SECTION 5. This ordinance shall not affect or impair any interest, right, benefit, obligation, or entitlement of any party to any contract, agreement, or permit with the City and County of Honolulu ("City") that exists or is in full force and effect, as of the effective date of this ordinance, for the provision of shared micromobility vehicles; provided, however, that upon the completion or termination of such contract, agreement, or permit with the City, any new contract, agreement, or permit with such party shall be governed by the new article of the Revised Ordinances of Honolulu enacted by this ordinance.

SECTION 6. In Sections 3 and 4 of this ordinance, material to be repealed is bracketed and stricken, and new ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material bracketed and stricken, or the underscoring. Consistent with Ordinance 19-1, in SECTION 3 of this ordinance, the Revisor of Ordinances shall insert the appropriate article number, in ROH Section 15-3.9(a)(22), for the new article created in ROH Chapter 15 in SECTION 2 of Ordinance 19-1 upon the codification of that article.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 19 - 29

BILL 44 (2019), CD1

A BILL FOR AN ORDINANCE

SECTION 7. This ordinance takes effect 120 days following its approval.

INTRODUCED BY:


Ikaika Anderson (br)

DATE OF INTRODUCTION:


August 1, 2019
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:


Deputy Corporation Counsel

APPROVED this 15th day of December, 20 19.


KIRK CALDWELL, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE **19-29**

BILL 44 (2019), CD1

Introduced: 08/01/19 By: IKAIKA ANDERSON – BY REQUEST Committee: BUDGET

Title: A BILL FOR AN ORDINANCE RELATING TO SHARED MICROMOBILITY VEHICLES.

Voting Legend: * = Aye w/Reservations

| | | |
|----------|---------------------------|---|
| 08/07/19 | COUNCIL | BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS. |
| 08/21/19 | BUDGET | CR-248 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING. 4 AYES: ELEFANTE, MANAHAN, MENOR*, WATERS. 1 EXCUSED: PINE. |
| 08/24/19 | PUBLISH | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER. |
| 09/04/19 | COUNCIL/PUBLIC HEARING | CR-248 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, PINE, TSUNEYOSHI, WATERS. |
| 09/12/19 | PUBLISH | SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR- ADVERTISER. |
| 10/21/19 | BUDGET | BILL AMENDED TO CD1 AND POSTPONED IN COMMITTEE. 4 AYES: ELEFANTE, MANAHAN, MENOR, WATERS. 1 EXCUSED: PINE. |
| 11/13/19 | BUDGET | CR-361 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM. 4 AYES: ELEFANTE, MANAHAN, MENOR*, WATERS. 1 EXCUSED: PINE. |
| 12/04/19 | COUNCIL | CR-361 ADOPTED AND BILL 44 (2019), CD1 PASSED THIRD READING AS AMENDED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, PINE*, TSUNEYOSHI*, WATERS. |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN I. TAKAHASHI, CITY CLERK


IKAIKA ANDERSON, CHAIR AND PRESIDING OFFICER